

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JOSE CALVENTE # 14A5049,
Plaintiff,

-against-

SUFFOLK COUNTY CORRECTIONAL FACILITY,
Defendant.

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ SEP 21 2016 ★

LONG ISLAND OFFICE

PLAINTIFF REVISED
NARRATIVE STATEMENT
EXHIBIT, WITNESS LIST,
AND SUMMARY OF WITNESS
TESTIMONY.

CV15-2024
(JFB)(ARL)

RECEIVED

SEP 28 2016

Plaintiff JOSE CALVENTE # 14A5049, submit the following as and for the use of the
Revised Narrative Statement, Exhibits, Witness List and Summary of Witness
Testimony.

I. FACTS

Plaintiff intends to offer evidence of the following facts at trial.

- a) That the Plaintiff was deprived of his rights to adequate medical care.
- b) That the Plaintiff did sustain the injuries and damages which he claims.
- c) That the Plaintiff was placed on the top bunk bed at the Suffolk County Correctional Facility at the age of 65, with many medical issues.
- d) That the Plaintiff fell off the top bunk bed and cut his head open on the 4th day of March, 2014, at around 4:00 AM in the morning, please notice the housing unit Officer was told of the Plaintiff many medical issues.
- e) That the Plaintiff went about two hours without any type of medical help, treatment, or assistance from housing unit Officers, and or medical staff.
- f) That the Plaintiff was taken to the Peconic Bay Medical Center for the needed treatment and staples for the cut on his head.
- g) That the Plaintiff is still having head-pain, and dizziness from the fall off the top bunk bed.
- h) That the Plaintiff was given discharge instructions to have the staples removed within ten days, and was given an order to return if any sign of infection, or dizziness.
- i) That the Plaintiff was forced to sleep on the top bunk bed by the housing unit officer, and the medical staff at the Suffolk Correctional Facility.
- j) That the Plaintiff started yelling in order to get some type of medical help from housing unit officers, and for the to send some type of medical staff.
- k) Here is a list of the Plaintiff witnesses which he intends to call at trial, along with his exhibits, and witness testimony.

II. EXHIBITS

Plaintiff intends to offer the following evidentiary items.

- a) Plaintiff medical chart from the Suffolk County Correctional Facility.
- b) Plaintiff medical chart from the state of New York Department of Correctional Services.
- c) Plaintiff discharge instruction from peconic bay medical center.
- d) Plaintiff chaperone waiver examination.
- e) Plaintiff medication that was given to him by the medical provider.
- f) Plaintiff referrals to optometry center.
- g) Plaintiff removal of sutures from Suffolk County Department of Health Services.
- h) Plaintiff 4 week re-evaluated by physician or midlevel practitioner to determine if service is still necessary and appropriate.
- i) Plaintiff assessment/plan generated by DR. ALICE BUTKOS.
- j) Plaintiff radiological report from DR. VINCENT GERACI.
- k) Plaintiff emergency room transfer Suffolk County Correctional Facility signs and symptoms chart.
- l) Plaintiff head injury report from peconic bay medical center.

III. WITNESSES

Plaintiff intends to call Dr. James L. Tomarken Department of Health Services.

Plaintiff intends to call WIESLAWA STELZEL which was the person that did the EKG test.

Plaintiff intends to call PATRICIA BUERKLE (NP).

Plaintiff intends to call DAVID LAWRENCE of the discharge instructions unit.

Plaintiff intends to call DEVIN CALANDRA of the facility medical department.

Plaintiff intends to call the officer that was in the dorm during the night of the fall, this officer would be John Doe.

Plaintiff intends to call Radiologist J. MICALIZZI, MD.

Plaintiff intends to call consultation ALICE BUTKOS, SITE MEDICAL PROVIDER.

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) SS.:
COUNTY OF ONEIDA)

JOSE CALVENTE, being duly sworn, hereby deposes and says:

That on this 16 day of SEPTEMBER, 20 16, I served the within
PLAINTIFF REVISED NARRATIVE STATEMENTS, EXHIBITS, WITNESS LIST,
AND SUMMARY OF WITNESS TESTIMONY.

upon the individual(s) listed below, by placing true and exact copies of the same in properly addressed envelopes and depositing the same into the mail receptacle at the Marcy Correctional Facility to be mailed via the United States Postal Service to said party/parties listed below:

DENNIS M. BROWN
SUFFOLK COUNTY ATTORNEY
ARLENE S. ZWILLING (ACA)
P.O. BOX 6100
100 VETERANS MEMORIAL HIGHWAY
HAUPPAUGE, NEW YORK. 11788-0099

UNITED STATE DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
ATT: CLERK OF THE COURT
LONG ISLAND FEDERAL COURTHOUSE
FEDERAL PLAZA
CENTRAL ISLIP, NEW YORK. 11722-4438

Jose Calvente.
Deponent
JOSE CALVENTE # 14A5049

Sworn to before me

this 16th day of SEPTEMBER, 20 16

Michael J. Moore
Notary Public of State of New York

MICHAEL J. MOORE
Notary Public - State of New York
No. 01MO6170816
Qualified in ONEIDA County
Commission Expires 7-23-2019